

E-filed 10/26/11

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

LANCE GITTIN, *on behalf of himself and
others similarly situated,*

Plaintiff,

v.

KCI USA, Inc.,

Defendant.

No. 09-CV-05843 RS

**ORDER GRANTING MOTION
FOR ATTORNEY FEES**

This is a motion for an award of attorney fees to plaintiffs' counsel in a class action that settled pursuant to an agreement whereby class members received cash payments, albeit in modest amounts. Class counsel billed in excess of 140 hours to the pursuit of this action, at rates up to \$480 hour. Inclusive of costs, plaintiffs claim actual expenditures of \$64,054.35. Under a negotiated agreement with defendants, however, plaintiffs seek recovery of only \$48,600.00.

While plaintiffs have not provided sufficient information to permit a detailed analysis of the time expended, based on the entire record as to the nature and scope of this litigation, and the experience of counsel, the Court finds that 125 hours were reasonably expended at a blended reasonable rate of \$400 per hour, for a "lodestar" of \$50,000. Taking into account the quality of representation, the benefit obtained for the class (which was modest but not insubstantial), and the relatively routine issues presented, a total expenditure of attorney fees and costs of that amount was not unreasonable. Accordingly, the stipulated sum that plaintiffs request is appropriate, and the

1 motion is granted. Plaintiffs are hereby awarded attorney fees and costs in the amount of
2 \$48,600.00.

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4 IT IS SO ORDERED.

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6 Dated: 10/26/11



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE